



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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MEMORANDUM

TO: Directors of Massachusetts-Certified Environmental Laboratories

FROM: Lisa J. Touet, Acting Director, MassDEP Laboratory Certification Program/WES

RE: Revised Massachusetts Regulations for the Certification and Operation of Environmental Analysis Laboratories at 310 CMR 42.00

DATE: November 14, 2016

Effective 11/4/2016, the Massachusetts Department of Environmental Protection (MassDEP) Laboratory Certification Program (LCP) has promulgated revised regulations at 310 CMR 42.00 for the Certification and Operation of Environmental Analysis Laboratories.

A copy of the revised Laboratory Certification regulations and the Department's responses to comments received during the public comment period are available on the MassDEP web site at:

<http://www.mass.gov/eea/agencies/massdep/water/drinking/certified-laboratories.html>

Official copies of the regulations may be purchased from the State House Bookstores at:

State Bookstore
Room 116
Boston, MA 02133
617-727-2834

Western Office of the Secretary of the Commonwealth
436 Dwight St.
Springfield, MA 01103
413-784-1376

Southeastern Office of the Secretary of the Commonwealth
218 South Main St., Suite 206
Fall River, MA 02721
508-646-1374

Or, go to <http://www.sec.state.ma.us/spr/spridx.htm> for information on how to order online or by mail.

Major revisions to the regulations are summarized below. It is the laboratory's responsibility to have knowledge of and comply with all Federal and Massachusetts regulations and standards for all categories in which it has been certified.

This information is available in alternate format. Call the MassDEP Diversity Office at 617-556-1139. TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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1. Because MassDEP-certified laboratories often provide testing services for purposes other than compliance monitoring that is reported to MassDEP, the revised regulations state that the requirements of 310 CMR 42.00 apply to any MassDEP-certified laboratory whenever it reports results for an analyte/method where certification is maintained with the MassDEP, unless the report expressly states that analyses were not conducted in accordance with the Department's certification standards. All analyses, for which the laboratory maintains certification, will be subject to the requirements of 310 CMR 42.00, whether or not the laboratory includes their MassDEP-issued identification number on the final report. [310 CMR 42.01]
2. The revised regulations require the laboratory to have a written procedure for manual integration and ensure that integrations are performed in a correct and consistent manner. The laboratory must maintain records that include the original chromatogram and the manually integrated chromatogram. [310 CMR 42.08(5)(b)1.e]
3. The revised regulations include requirements for laboratory staff to participate in an annual ethics training program. There are a number of online resources that may assist laboratories in providing the required training. MassDEP will provide guidance which will soon be available on the web site at: <http://www.mass.gov/eea/agencies/massdep/water/drinking/certified-laboratories.html>. [310 CMR 42.08(6)]
4. The revised regulations include a requirement for laboratories to maintain records of all sample preparation procedures (e.g., digestions, pH adjustments, extractions, etc.). [310 CMR 42.14(1)]
5. The revised regulations specify that sample extraction dates must be included on reports. [310 CMR 42.13(2)(e)]
6. The revised regulations include new sections pertaining to orders, violations, and penalties. [310 CMR 42.17]
7. Clarifications regarding timely notifications of exceedances of maximum contaminant levels (MCLs) or other regulatory limits have been included in the revised regulations. Data indicating an exceedance of a regulatory limit must be validated and the validated data reported as soon as possible, not to exceed 24 hours after the completion of sample analysis. The laboratory must notify its clients of the results of all samples that exceed any EPA or Department established MCL, maximum residual disinfectant level, or reportable concentration, or that identify the presence of regulated microbiological organisms in potable water within 24 hours of completion of the analysis of the sample, whether or not the laboratory accepting the sample subcontracted the analysis to another laboratory. Laboratories must document the date, time, and manner of the notifications. [310 CMR 42.13(5)]
8. The revised regulations require that laboratories accepting samples to be analyzed for the purpose of determining regulatory compliance ensure that analytical data are reported in a manner so as to meet prescribed reporting timelines. [310 CMR 42.13(5)(d)]
9. The revised regulations require that the laboratory identify preliminary data, or data for which data quality objectives were not met, in order that data usability may be properly evaluated by the end user of the data. [310 CMR 42.13(5)(f)]
10. Revised regulations require that expiration date information be included on all laboratory container labels. [310 CMR 42.08(5)(a)3.c]
11. Criteria have been added to the revised regulations for the use of instrument calibrations that have been set by a manufacturer. [310 CMR 42.08(5)(a)6.a.iii]

12. The revised regulations include expanded sections on the grounds for denial, downgrading, and revocation of certification. [310 CMR 42.12]

13. Regulations have been expanded to offer the following certifications:

- 1,4-Dioxane in potable water
- Aluminum, Iron, Manganese, and Zinc in potable water
- Chloride in potable water

Application forms for these new categories of certification are on the website.

14. Certification will no longer be offered for the following:

- Fecal coliform and *Salmonella* in biosolids
- Fecal coliform in water treatment and distribution

If you have any questions regarding these revised regulations, please contact the MassDEP Laboratory Certification Program, Division of Environmental Laboratory Sciences (DELS), Senator William X. Wall Experiment Station (WES) at 978-242-1201 or at labcert@state.ma.us.